

REMARKS

Claims 3-16 are pending in the above-identified application. Claims 5, 6 and 8 have been amended so as to depend from allowable claim 3. New claims 9-12 have been added, these claims corresponding to original claims 5-8 and all depending from allowable claim 4. New claim 13 has been added which includes formula "(1a)" which is identical to original formula (1) in original claim 3, except for the absence of the variable "t". Likewise, new claim 14 has been added so as to include formula "(2a)" which is identical to original formula (2) in original claim 4, except for the absence of variable "t". New claims 15 and 16 have been added which depend from new claims 13 and 14 and are otherwise identical to original claim 8. Essentially, all of the claims have been amended so as to depend from allowable claims or so as to include allowable subject matter based on the statements in the Office Action of June 29, 2004 such that the present application should be placed into condition for allowance.

Allowable Subject Matter

The Office Action stated that claims 3 and 4 recited allowable subject matter. Since presently pending claims 5-12 all ultimately depend from allowable claims 3 or 4, all of claims 3-12 have been placed into allowable form.

New claim 13 has been amended so as to include formula (1a) which essentially corresponds to original formula (1) of allowable claim 3. The presence of the monomer component of formula (1a) in the composition of claim 13 places this claim into allowable form in view of the statement in the Office Action that the prior art of record fails to teach or suggest a resist composition which includes a monomer of formula (1). Claim 15 depends from claim 13 and, thus, has also been placed into allowable form. The same corresponding reasons supporting allowability for claim 14 with formula (2a) corresponding to original formula (2), and claim 16 which depends from claim 14, also place these claims into allowable form.

In view of the above, all of the presently pending claims 3-16 have been placed into allowable form.

Removal of Issues Under 35 U.S.C. 102(e)

Claims 1, 2 and 5-8 were rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu '407 (WO 03/006407).

The basis for the above-noted rejection has been removed in view of the cancellation of claims 1 and 2, as well as the amendments to claims 5-8 such that claims 5-8 all ultimately depend from allowable claim 3. Consequently, it is requested that this rejection be withdrawn.

Conclusion

It is submitted for the reasons stated above that the present claims define patentable subject matter such that this application should now be placed condition for allowance.


If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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